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Held at the Palais des Nations, Geneva,
on Tuesday, 12 November 1996, at 10.30 a.m.

Chairman: Mr. DIPANDA MOUELLE

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The meeting was called to order at 10.35 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (agenda item 4)

Second periodic report of the Russian Federation (CAT/C/17/Add.15)

1. At the invitation of the Chairman, Mr. Kolossovski, Mr. Kartashkin, Mr. Ivanov, Mr. Katyshev, Mr. Butaev, Mr. Orlov, Mr. Chtcherbak, Mr. Malguinov, Mr. Boychenko, Mr. Tchoumarev and Mr. Loukiantsev (Russian Federation) took places at the Committee table.

2. Mr. KOLOSSOVSKI (Russian Federation) said that there had been a number of important developments since the submission of the second periodic report which had a direct bearing on the consolidation of democratic principles and international legal standards in the Russian Federation, in particular his country's admission to the Council of Europe in February 1996.

3. The building-blocks of Russian statehood based on separation of powers, the rule of law, federalism, political and ideological pluralism, and the development of a civil society were gradually being put in place under the new Constitution, for example through the elections to the State Duma at the end of 1995 and the presidential elections in 1996. The fact that the Committee had received relatively critical material from Russian NGOs attested to the emergence of an active civil society.

4. The translation of universal human rights principles into everyday reality called for vigorous action by the public authorities, law-enforcement bodies and civil society as a whole. A key task was to generate awareness of existing legal standards among all actors, particularly in the lower echelons, and to ensure that they were strictly implemented. The Presidential Human Rights Commission had also redoubled its activities aimed at upholding constitutional and international human rights standards during the current year. New legislation enacted in recent months to enhance protection against torture and other cruel or inhuman treatment or punishment had been backed by practical action.

5. The new Criminal Code of the Russian Federation would enter into force on 1 January 1997. Article 7 thereof and article 1 of the Correctional Labour Code specifically proscribed the use of physical violence or humiliation as a means of punishing offenders. The number of articles in the Criminal Code providing for deprivation of liberty had been reduced from 240 to 220 and wider provision had been made for other penalties such as fines, compulsory community service and restriction of liberty in special "open" institutions, a form of punishment that would affect an estimated 115,000 to 120,000 persons annually. The parole system had been greatly extended and under the new Code even prisoners serving life sentences could be released on parole. It was hoped that such measures would considerably alleviate the problem of overcrowding in places of detention.

6. Article 13 of the new Criminal Code prohibited the extradition to a foreign State of Russian citizens charged with an offence in that State. Foreign citizens and stateless persons charged with offences outside the

Russian Federation and currently present in Russian territory could be extradited only on the basis of an extradition treaty with the State concerned.

7. Article 4 of the Federal Act on detention of persons suspected or accused of having committed offences stipulated that such detention should be in accordance with the principles of humanitarianism and respect for human dignity enshrined in the Constitution, international law and the international treaties signed by the Russian Federation, and should not be accompanied by torture or other actions intended to cause physical or psychological suffering to suspects or accused persons. It was not always easy to ensure compliance with those principles. The main problem was overcrowding in places of pre-trial detention related, in particular, to the general increase in crime in the Russian Federation. In recent years, irregular funding of remand centres and prisons had led to serious interruptions in the supply of food, bedding, medicines and other goods.

8. The entire system of criminal procedure in the Russian Federation had been reformed and developed over the previous four years by more than 40 acts, decrees and programmes. Government Decree No. 1,355 of 30 December 1993 had appropriated 57.4 billion roubles for material and technical improvements in remand centres and prisons. Government Decree No. 1,231 of 3 November 1994 set up a federal prison construction and refurbishment programme for the period up to the year 2000. In June 1996, the Government of the Russian Federation had adopted a decree on conditions of detention in remand centres and prisons. Concurrently, the Federation Council had adopted a decree designed to strengthen existing guarantees of respect for the rights of persons held in pre-trial detention centres. The Federal Act on detention of persons suspected or accused of having committed offences authorized the release of persons who had been held for the statutory period. In pursuance of that provision, 4,700 persons had been released during the 12 months following the entry into force of the Act. The rights of suspects and accused persons had been considerably enhanced in June 1996 by a ruling of the Constitutional Court to the effect that the material made available to accused persons and their defence counsels should include the deadlines set for completion of the preliminary investigation.

9. There were unfortunately persistent reports of abuse of authority among the staff of prison establishments. In 1995, the procurator's office had received 130 complaints. Such incidents were taken extremely seriously and the culprits brought to justice. In 1995, 93 staff members of remand centres and prisons had been prosecuted for offences perpetrated while on duty.

10. The Russian Federation was willing to engage in a frank dialogue on such shortcomings, as witnessed by the invitation issued by the Government to the Special Rapporteur of the Commission on Human Rights on questions relating to torture, who had carried out a detailed investigation of conditions of detention in the country. His observations had been taken into account in the adoption of measures to improve the situation. Information received from NGOs both of a general nature and on specific cases of human rights violations, was carefully analysed and appropriate action taken where allegations were confirmed. There was also provision for feedback. The Special Rapporteur was

regularly informed of changes in the prison system and action taken to humanize conditions of detention in prisons and remand centres.

11. In February 1996, the Russian Federation had signed the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and had undertaken to ratify it within a year.

12. Representatives of the Russian Federation were actively involved in the proceedings of the Working Group on the preparation of an optional protocol to the Convention against Torture. His country believed that the preventive system of human rights monitoring in places of detention to be introduced under the optional protocol would become a model for future monitoring activities by United Nations human rights treaty bodies.

13. Mr. PIKIS (Country Rapporteur) noted that the Constitution of the Russian Federation provided comprehensive safeguards for human rights, which were inalienable and directly applicable in judicial proceedings. It accorded treaties, including the Convention, superior force in cases of conflict with domestic legislation. Torture was prohibited under the Constitution and the Constitutional Court was vested with jurisdiction to deal with cases of torture. He wondered, however, whether the rights safeguarded in existing legislation were duly protected in its application, particularly the prohibition against torture in view of the framework within which the investigation of crime was conducted and the conditions in which detainees were held.

14. With regard to article 1 of the Convention, the definition of the prohibition of torture in the Constitution should rule out every form of oppressive means used in the investigation of crime. Article 1 should be applied in conjunction with article 4, which obliged States parties to characterize torture and attempted torture as specific offences. The crime of torture should rank as a felony. Although the offences of ill-treatment and coercion to give evidence went some way towards filling the gap and adequate provision had been made for the criminalization of attempted torture in article 17 of the Criminal Code, all manifestations of torture had not yet been criminalized. Why had the Russian Federation failed to fulfil its obligation under article 4 of the Convention? Were there any plans to incorporate a specific crime of torture in the Criminal Code?

15. Certain recent enactments seemed to leave the door open to human rights abuses and torture in particular: Presidential Decree No. 1,815 of 2 November 1993 on measures to prevent vagrancy and begging; Presidential Decree No. 1,226 of 14 June 1994 on urgent measures to defend the population from banditry and other manifestations of organized crime; and Presidential Decree No. 1,025 of 10 July 1996 on urgent measures to strengthen law and order and intensify action to combat crime in Moscow and the Moscow region. Had any of those enactments been tested in court and, if so, what had been the outcome with respect to their constitutionality and legality? He was concerned that they allowed suspects to be detained for up to 30 days without charge and without access to legal assistance, a provision that seemed to be in conflict with the provisions of the Code of Criminal Procedure requiring the authorities to bring detained persons before a court within 48 hours and guaranteeing a right to counsel. Amnesty International and the Russian

Organization for Human Rights reported numerous complaints of torture and ill-treatment under the enactments concerned, especially by officials of the department responsible for fighting organized crime. Within six months of its promulgation, 14,000 people had been detained under Presidential Decree No. 1,226. The fight against organized crime could not justify means and procedures which violated fundamental human rights. Speedy and unhindered access to counsel was an effective safeguard for the protection of human rights.

16. The Committee would like details on the application of the decrees he had mentioned. It would be useful to know whether there were any means available to test detentions under those decrees before a court of law, or whether there were mechanisms for monitoring arrests and conditions of detention. Had the Presidential Commission on Human Rights or the Commissioner for Human Rights examined the conditions under which suspects were detained? If so, what had been the outcome of their investigations? The absence of a specific crime of torture within the framework of the Criminal Code was a regrettable and serious omission.

17. Pursuant to article 2, paragraph 1, of the Convention, States parties were obliged to take numerous measures to ensure that personnel in prisons and detention centres as well as those conducting investigations into cases of torture were fully informed of the gravity of that crime. Similarly, it was incumbent upon States parties to inform detainees of the absolute prohibition against torture and of their rights under the law.

18. Paragraphs 32 to 66 of the report by the Russian Federation contained detailed information on the Code of Criminal Procedure and safeguards for the protection of detainees. Article 4 of the Act adopted on 21 June 1995 by the State Duma was highly relevant in that context. The conditions under which the right to counsel was exercised were dubious in so far as the authorities were allowed to observe, albeit from a distance, meetings between a detainee and his counsel. Further information on consultations between clients and counsel was needed.

19. The adoption of the Act of 21 June 1995 was undoubtedly a step forward because it defined the rights of suspects and accused persons. The report acknowledged that conditions in prisons and centres of detention were unsatisfactory and that changes in the legal context of detention had not eradicated violation of the rights of detainees. The sheer numbers (23,899) of employees engaged in law enforcement and detention who had been disciplined in 1994, and the number of prosecutions for crimes committed in the course of law enforcement were indicative of the prevalence of violations in places of detention. He wondered whether any of those disciplinary or criminal convictions related to acts of torture and ill-treatment, and what measures the authorities planned to adopt in order to eradicate those violations.

20. General conditions of detention, including overcrowding, malnutrition and insanitary conditions, constituted inhuman and degrading treatment. The Government of the Russian Federation had acknowledged the urgent need to improve the physical conditions of detention. Insufficient efforts had been made to comply with the provisions of article 10, paragraph 1, of the Convention, particularly with regard to the education and training of

personnel involved in law enforcement. Special programmes should be developed for the training of all officials concerned with the investigation of crime and the detention of prisoners. All such persons should have a clear understanding of the prohibition against torture and of the inadmissibility of confessions obtained by coercive means. Furthermore, the evidential value of confessions should at all times be kept under scrutiny.

21. It was regrettable that the report had made no reference to the conflict in Chechnya in which between 20,000 and 30,000 civilians had reportedly been killed. Without entering into a discussion on the merits of the conflict, and while appreciating the concerns of the Russian Federation about the integrity of the State, the Committee could not ignore reports about grave violations of human rights perpetrated by military forces of the Russian Federation, including torture, inhuman and degrading treatment and rape. The establishment of "filtration camps" for the detention of males between the ages of 16 and 55 and the acts of ill-treatment to which they were subjected qualified as grave acts of torture or degrading and inhuman treatment. An independent commission to examine cases of torture and related acts was urgently needed. The resignation of the Ombudsman for Human Rights and the Chairman of the Presidential Commission on Human Rights and other members of the Commission reflected the despair felt by human rights activists. How did the Government perceive the situation in Chechnya and how did it plan to address allegations of violations of its obligations under the Convention? It was also obvious that Chechnyan separatists were guilty of grave acts of torture and inhuman treatment.

22. In connection with article 2, paragraph 3, of the Convention, he noted that the provisions of article 7 of the Security Act, viewed in conjunction with article 171 of the Criminal Code, established that orders from superiors gave no authority for transgression of the law.

23. Under article 3 of the Convention, no person should be expelled or returned to a country where a danger of torture or exposure to inhuman or degrading treatment existed. Reports of the extradition of persons on the basis of bilateral treaties without regard to the specific danger stipulated in article 3 gave rise to concern. Specific reference should be made to the deportation of Elgudzha Khutayevich Meskhia of Georgia, who had apparently been repatriated at the request of the Georgian authorities. The Committee was interested in the delegation's assessment of the impact of article 3 on applications for extradition. The provisions of article 63, paragraph 2, of the Constitution of the Russian Federation, as mentioned in paragraph 69 of the report, were relevant to that issue. There was also need for clarification as to whether objection to deportation on grounds other than political opposition to the regime of the country to which the person was to be deported provided the basis for a refusal of an application for extradition.

24. Clarification was needed concerning the effect of the law on diplomatic representatives who committed acts of torture within the territory of the Russian Federation. Paragraph 30 of the report acknowledged that no extraterritorial jurisdiction was vested in the courts, but there was apparently need for the enforcement of such jurisdiction in the trial of Russians who committed acts of torture abroad. He recalled that article 5,

paragraph 1 (b), of the Convention authorized the extension of jurisdiction, at the discretion of the State party, for acts of torture committed abroad against nationals of that State.

25. Paragraph 29 of the report raised the question of sentences passed by a foreign court on a Russian national for acts of torture when the national was transferred to the Russian Federation to serve his sentence. He asked whether sentences had ever been reduced or commuted in such cases.

26. He would also like to know how the Russian Federation approached the fulfilment of its obligations under article 5, paragraph 2, of the Convention and if any measures were contemplated in view of the absence of extraterritorial jurisdiction.

27. The provisions of the Russian Constitution accorded primacy to international treaties ratified by the country. It would therefore be presumed that acts of torture were extraditable offences under article 8 of the Convention. He asked for further information in that regard.

28. In view of the gaps in the information provided in the report, he asked the delegation to furnish further information relating to articles 6 and 7.

29. All information in the report supplied under article 9 suggested that the Russian Federation was ready to cooperate, in the context of bilateral treaties, with other countries in the implementation of the Convention.

30. Mr. BURNS (Alternate Country Rapporteur) complimented the delegation of the Russian Federation on its commitment to dialogue as evidenced by the large delegation it had sent to the current session. The Committee fully recognized the vast difficulties faced by the Russian Federation in its transition to an open democratic society. The size of the country, its diversity of nationalities and cultures, the economic crisis and the increase in crime had created enormous obstacles to development.

31. Recent legislative changes reflecting international human rights values and the creation of the Presidential Commission on Human Rights were commendable signs of progress. The Russian Federation was among the States exhibiting deep commitment to the spirit of the Convention, in particular through its acceptance of articles 20, 21 and 22. However, it was curious to note that, despite the various reports on activities involving cruel or inhuman punishment or torture submitted by NGOs, the Committee had not received a single communication from a victim in the Russian Federation. He speculated that lawyers and the NGOs themselves might not be aware that such remedies were available.

32. In connection with paragraph 75 of the report, he asked whether the plans to reform the penal system were legislative or regulatory in nature, and how far those plans had progressed. Were the rules on the humane treatment of convicted persons monitored and, if so, was such supervision reactive or proactive? He wished to know whether the training of personnel provided for in article 10 of the Convention included information on the primacy of international standards over internal law.

33. With regard to article 11, he asked how paragraph 77 of the report could be reconciled with the effects of Presidential Decrees 1,815/93, 1,226/94 and 1,025/96, and with the concept of "filtration camps" in Chechnya. He also asked for clarification concerning Amnesty International reports of MVD orders that might be considered incompatible with the general law.

34. Amnesty International had also reported that, in the majority of cases, the courts had been unable to provide judicial protection to victims of torture and ill-treatment and that there were long delays in the handling of complaints and the judicial review of detention. He invited the delegation to comment on those reports, to supply the pertinent data and to inform the Committee on the steps the Government had taken to remedy the situation.

35. Data were also requested on the number of complaints lodged, the sectors against which those complaints had been lodged and the results of subsequent investigations.

36. The constitutional right to compensation under the decree mentioned in paragraph 86 did not appear to deal with cases of simple torture or cruel and degrading punishment. He therefore asked how victims of those offences obtained compensation, how many claims had actually been processed and what was the meaning of indemnity as used in that paragraph.

37. While the Code of Criminal Procedure of the Russian Federation clearly adhered to the provisions of article 15 of the Convention, Amnesty International had been informed that instances of torture-extracted confessions had occurred in Chechnya. He asked the delegation to comment.

38. Turning to article 16, he said that the Committee acknowledged the constitutional prohibition and appreciated the detailed account given in the report of the reforms in medical experimentation and psychiatry. However, NGOS had provided evidence that some prisoners under rigorous disciplinary treatment were receiving substandard food. Another NGO had alleged that the army's treatment of its recruits might constitute an offence against article 16 and that senior officers failed to take disciplinary proceedings against older soldiers who bullied young recruits. He asked for comments on those points. He also wished to know whether there was any civilian judicial supervision over the conduct of the Russian army.

39. In addition, he asked for comments on cases of capital punishment carried out in regional prisons despite the moratorium on capital punishment ordered by the Russian Federation in agreement with the Council of Europe. It might be considered cruel and inhuman punishment if a person aware that the moratorium was in effect knew that he was about to be executed. A breach of article 16 was thus possible.

40. Was there any civilian supervision of the Russian army in Chechnya? And had there been any prosecution of cases of torture or cruel and inhuman treatment or punishment as a result of the incidents in Chechnya? If so, he hoped that the delegation of the Russian Federation could provide data on the outcome.

41. With respect to conditions in Russian prisons, he quoted from the comments of Amnesty International on the second periodic report of the Russian Federation. Amnesty International described prison conditions in the Russian Federation, particularly for those awaiting trial, as amounting to cruel, inhuman and degrading treatment. Prisons were grossly overcrowded with thousands of prisoners having to sleep in shifts, often without bedding. Many cells were filthy and pest-ridden with inadequate light and ventilation. Food and medical supplies were frequently inadequate. Because of insanitary conditions, illness spread rapidly, and lung, circulatory and skin diseases were widespread. Mental illness was also common. It was reported that, in July 1995, 11 prisoners had died of heatstroke in an overcrowded prison where up to 25 people had been held in cells meant for 10 and the air temperature had risen to 51 degrees Centigrade. An attempted mass suicide had taken place in that prison the previous year in response to beatings. That information had also been received from the Moscow Centre for Prison Reform. The Special Rapporteur on torture had described prison conditions in the Russian Federation as cruel, inhuman and degrading; comments on that point would be welcome.

42. In connection with article 3 of the Convention, he asked if it was true that, as alleged by some NGOs, a distinction was drawn in principle between persons from "outer" and "inner" countries (i.e. countries of the former Soviet Union), and that the former were processed in summary fashion.

43. He also wished to know if, as claimed by some NGOs, no one was considered as eligible for asylum in the Russian Federation if he was not in possession of a residence permit.

44. Mr. SØRENSEN, speaking in connection with article 10, asked how the prohibition of torture and inhuman treatment was included in the training of doctors in the Russian Federation, including that of specialists in forensic medicine and psychiatrists. He also wished to know whether prison doctors were subordinate to the Ministry of Justice or the Ministry of Health. If they had complaints, did they have to be addressed to the prison governor or prison authorities, or could prison doctors speak to other doctors, for instance in the Ministry of Health?

45. With respect to article 11, he referred to Mr. Burns' remarks about the prison system in the Russian Federation. To his own knowledge there were over 1,570,000 prisoners in the Russian Federation, which was more than in the rest of Europe combined. How was the systematic review called for in article 11 carried out? Who inspected the prisons, and with what terms of reference? Was a report on inspections published? In addition to the Council of Europe's Committee for the Prevention of Torture were any other outside organizations or persons allowed to visit prisons and on what conditions?

46. He congratulated the Russian Federation on its replies concerning article 14 of the Convention, endorsed the questions put in that connection by Mr. Burns and asked whether the Russian Federation gave financial support to rehabilitation centres for the victims of torture.

47. Welcoming the assurance concerning medical experimentation given in paragraph 100 of the report, he asked whether there was a medical board which received suggestions on research.

48. Ms. ILIOPOULOS-STRANGAS welcomed the efforts made by the Russian Federation to bring its legislation into line with human rights standards. In connection with article 3 of the Convention, she asked whether the legislation of the Russian Federation distinguished between a request for asylum and a permit to reside in the country with the right not to be extradited to one where there was a risk of the person concerned being tortured. She also wished to know what was the relationship between the Convention and any extradition treaties concluded by the Russian Federation. Was the Convention viewed as a lex specialis? Moreover did Russian citizens have the right to claim a remedy under the Constitution in respect of the right not to be tortured?

49. Mr. REGMI recalled that when the Government of the former Soviet Union had submitted its initial report to the Committee, it had been asked to provide as many practical examples as possible of legal reforms in its second periodic report, in particular concerning the trial of persons involved in the abuse of power and the imposition of solitary confinement. However, such examples had not been provided and in paragraph 47 of the report there was an acknowledgment that the practice of solitary confinement under guard still existed. Moreover, the report did not contain sufficient information on the practical implementation of the Convention.

50. Paragraphs 48 and 99 of the report mentioned the use of physical force, special means, gas weapons and firearms in places of detention in the Russian Federation. He drew attention to the express prohibition of the use of force in articles 1 and 16 of the Convention, and urged the Government of the Russian Federation to bring its legal system into line with the Convention in that respect.

51. Mr. BURNS, supported by the CHAIRMAN, asked whether, as a permanent member of the Security Council and one of the great nations of the world, the Russian Federation contributed to the United Nations Voluntary Fund for Victims of Torture. If not, the Committee would be grateful if it could consider doing so.

52. The CHAIRMAN thanked the delegation of the Russian Federation for its attention and invited it to reply to the Committee's questions at its next meeting.

53. The delegation of the Russian Federation withdrew.

The meeting was suspended at 12.10 p.m. and resumed at 12.30 p.m.

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (agenda item 3) (continued)

54. Mr. GONZALEZ POBLETE noted that the Committee was currently considering the second periodic report of the Russian Federation, which should have already submitted its third periodic report on 25 June 1996. Uruguay, whose

second periodic report would be under consideration the following week, was in the same position. That was a state of affairs which the Committee must address without delay. One solution might be to ask the Russian Federation to cover, in its third periodic report, the period until the year 2000.

55. Mr. SORENSEN said that he was aware of the problem raised by the previous speaker. Noting that Togo and Uganda had been allowed to combine their initial and second periodic reports, he wondered whether that might not also be done in the case of the Russian Federation.

56. Mr. BRUNI (Secretary of the Committee) pointed out that, in addition to Togo and Uganda, Brazil, Guinea and Guyana had also been requested to submit the initial and the second periodic reports in a single document. The Committee might wish to consider whether the fact that one report was long overdue justified submitting one less report or whether, on the contrary, it wished to proceed on the basis of a strict interpretation of the Convention.

57. Mr. YAKOVLEV said that the situation was one that would recur with increasing frequency in the future, and the Committee should therefore decide how to handle it without further ado. A strict interpretation of the Convention would demanding immediate submission of a new report, which then would not contain any new information. On the other hand, States should not have discretion to postpone submission. Consequently, although he could agree to Mr. Gonzalez Poblete's suggestion to ask the Russian Federation to cover the period until the year 2000 in its next report, the Committee should also express regret that the report was overdue and reprimand the State party in some fashion.

58. The CHAIRMAN said that if the Committee allowed the Russian Federation to submit its third report in the year 2000, that might encourage other States parties to submit their reports late too. States parties should, however, be permitted to submit their reports before the deadline.

59. Ms. ILIOPOULOS-STRANGAS agreed with Mr. Yakovlev. The Committee should merely notify a State party if a report was late, which it could do on a case-by-case basis. She also endorsed the suggestion that States parties should be allowed to submit their reports before the deadline.

60. The CHAIRMAN said he took it that there was agreement in the Committee on how to proceed in cases of overdue reports.

61. It was so decided.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2) (continued)

62. The CHAIRMAN invited members to offer to serve as country rapporteurs and alternate country rapporteurs for the eighteenth session.

63. Ms. ILIOPOULOS-STRANGAS and Mr. REGMI agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the third periodic report of Denmark.

64. Mr. GONZALEZ POBLETE and Mr. SORENSEN agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the third periodic report of Mexico.

65. Mr. ZUPANCIC and Mr. CAMARA agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the initial report of Namibia.

66. Mr. GONZALEZ POBLETE and Mr. BURNS agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the second periodic report of Paraguay.

67. Mr. SORENSEN and Mr. BURNS agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the third periodic report of Sweden.

68. Mr. YAKOVLEV and Mr. PIKIS agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the third periodic report of Ukraine.

69. The CHAIRMAN invited members to offer to serve as country rapporteurs and alternate country rapporteurs for the nineteenth session.

70. Mr. GONZALEZ POBLETE and Mr. ZUPANCIC agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the third periodic report of Argentina.

71. Mr. BURNS and Mr. SORENSEN agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the second periodic report of Cyprus.

72. The CHAIRMAN and Ms. ILIOPOULOS-STRANGAS agreed to serve as Country Rapporteur and Alternate Country Rapporteur for the third periodic report of Switzerland.

73. Ms. ILIOPOULOS-STRANGAS, referring to Mr. Sorensen's suggestion to group consideration of two reports, said that she favoured focusing on just one report a day. If time remained, members could use it for reading through the numerous documents with which they needed to familiarize themselves and whose volume was growing steadily.

74. Mr. ZUPANCIC said that the Committee should make it clear to the Secretary-General and the General Assembly that it needed funding for research assistants; otherwise, the quality of its work would remain superficial.

75. Mr. GONZALEZ POBLETE agreed with the previous speaker. Concerning the procedure for conducting inquiries under article 20 of the Convention, he noted that to date the Committee had relied on NGOs. Instead, the Committee should have professional assistance enabling it to take the initiative in investigating alleged cases of torture.

76. Mr. SORENSEN said that the current session would be critical for improving the Committee's situation. It might be noted that the Committee on the Rights of the Child tried to issue reports submitted by NGOs as a single document.

77. He saw the point made by Ms. Iliopoulos-Strangas but felt that States parties should not be asked to wait six months after submitting their reports if at the same time the Committee insisted that such reports must be submitted on time.

78. He remained convinced that it would be possible, for example, to combine consideration of the reports of Denmark and Sweden. The reports had been received and members could take a copy when they left so they could start preparing as soon as the current session ended.

79. Mr. PIKIS said that NGOs should be informed when a given country report would be considered, and deadlines should be set for the submission of any information they had.

80. Mr. BRUNI (Secretary of the Committee) said that the secretariat had in fact taken measures to inform NGOs. First, following the specific recommendation last year by the Meeting of Persons Chairing Human Rights Treaty Bodies, a list of reports to be considered by each committee was to be drawn up every six months and made available to NGOs. Secondly, it had been a long-standing practice of the secretariat to send, three months prior to each session of the Committee against Torture, a letter on the reports to be considered to the most important organizations involved in combating torture and to ask them to communicate any relevant information four to six weeks before the session began. Thus deadlines were set, but in most cases information from NGOs arrived just before or even during the session.

The meeting rose at 1.05 p.m.